



17W 3761/15

PTO/SB/21,(04-07)

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

67

Application Number

09/937,942

Filing Date

October 2, 2001

First Named Inventor

JOHNSON, Royce W.

Art Unit

3761

Examiner Name

STEPHENS, Jacqueline F.

Attorney Docket Number

VAC.483.US

ENCLOSURES (Check all that apply)



Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)



Reply to Missing Parts/
Incomplete Application



Reply to Missing Parts
under 37 CFR 1.52 or 1.53



Drawing(s)



Licensing-related Papers



Petition



Petition to Convert to a



Provisional Application



Power of Attorney, Revocation



Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) _____

☐ Landscape Table on CD



After Allowance Communication to TC



Appeal Communication to Board
of Appeals and Interferences



Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)



Proprietary Information



Status Letter



Other Enclosure(s) (please identify
below):

Form used in Lieu of PTO/SB/08A/B (2pgs);
Cited References (60 pgs); and
Acknowledgement Postcard

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Kinetic Concepts, Inc.

Signature

Robert W. Mason

Printed name

Robert W. Mason

Date

August 8, 2007

Reg. No.

42,848

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Geri Pieper

Typed or printed name

Geri Pieper

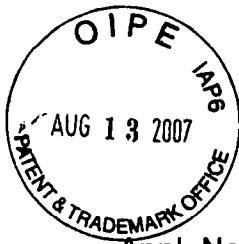
Date

August 8, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Attorney Docket No. VAC.483.US

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/937,942 Confirmation No.: 8824
Applicant : JOHNSON, Royce W.
Filed : October 2, 2001
TC/A.U. : 3761
Examiner : STEPHENS, Jacqueline F.
Docket No. : VAC.483.US
Customer No.: 60402

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**SECOND SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT**

Dear Sir or Madam:

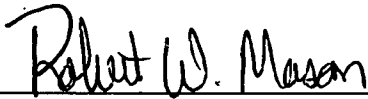
In compliance with the duty of disclosure set forth in 37 C.F.R. §1.56, Applicant is submitting one form used in lieu of PTO/SB/08A/B (2 pages) along with cited references therein. This Second Supplemental Information Disclosure Statement is being filed in accordance with 37 C.F.R. §1.97(c)(2). The Commissioner is authorized to charge any required fees to Deposit Account No. 500326.

Under 37 CFR 1.98 (a)(2)(ii) no copies of any mentioned U.S. patents and U.S. patent application publications are submitted. However, if the Office requires copies, applicants will provide in a timely manner.

08/14/2007 AAHHADI 00000052 500326 09937942
01 FC:1006 100.00 DA

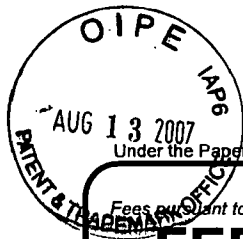
Applicant respectfully requests full and proper consideration of the listed information during examination of the application, and that the listed information be printed on any patent that issues therefrom.

Respectfully submitted,



For Applicant

Robert W. Mason, Reg. No.: 42,848
Sr. Intellectual Property Counsel
Kinetic Concepts, Inc.
Legal Department – Intellectual Property
P.O. Box 659508
San Antonio, Texas 78265-9508
Telephone: 210.255.6271
Facsimile: 210.255.6969
E-mail: robert.mason@kci1.com



Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL
For FY 2007☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 180.00**Complete if Known**

Application Number	09/937,942
Filing Date	October 2, 2001
First Named Inventor	JOHNSON, Royce W.
Examiner Name	STEPHENS, Jacqueline F.
Art Unit	3761
Attorney Docket No.	VAC.483.US

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____☒ Deposit Account Deposit Account Number: 500326 Deposit Account Name: Kinetic Concepts, Inc.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180
Total Claims	Extra Claims	Fee (\$)
- 20 or HP = _____ x _____ = _____		
HP = highest number of total claims paid for, if greater than 20.		
Indep. Claims	Extra Claims	Fee (\$)
- 3 or HP = _____ x _____ = _____		
HP = highest number of independent claims paid for, if greater than 3.		
	Multiple Dependent Claims	Fee (\$)
	Fee Paid (\$)	

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 = _____ / 50 = _____ (round up to a whole number) x _____ = _____				

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): IDS Late Filing Surcharge

180.00

SUBMITTED BY

Signature	<u>Robert W. Mason</u>	Registration No. (Attorney/Agent) 42,848	Telephone 210-255-6271
Name (Print/Type)	Robert W. Mason	Date August 8, 2007	

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Attorney Docket No. VAC.483.US

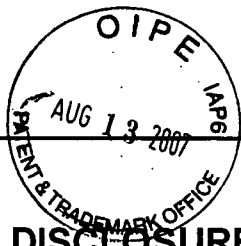
Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	09/937,942
				Filing Date	October 2, 2001
				First Named Inventor	JOHNSON, Royce W.
				Art Unit	3761
				Examiner Name	STEPHENS, Jacqueline F.
Sheet	2	of	2	Attorney Docket Number	VAC.483.US

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²	
/J.S./	7	CHINN, Steven D. et al.: "Closed Wound Suction Drainage", The Journal of Foot Surgery, Vol. 24, No. 1, 1985, pp. 76-81		
	8	ARNLJOTS, Björn et al.: "Irrigation Treatment in Split-Thickness Skin Grafting of Intractable Leg Ulcers", Scand J. Plast Reconstr. Surg., No. 19, 1985, pp. 211-213		
	9	SVEDMAN, P.: "A Dressing Allowing Continuous Treatment of a Biosurface", IRCS Medical Science: Biomedical Technology, Clinical Medicine, Surgery and Transplantation, Vol. 7, 1979, p. 221		
/J.S./	10	SVEDMAN, P. et al.: "A Dressing System Providing Fluid Supply and Suction Drainage Used for Continuous or Intermittent Irrigation", Annals of Plastic Surgery, Vol. 17, No. 2, August 1986, pp. 125-133		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature	/Jacqueline Stephens/	Date Considered	11/13/07
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Used in Lieu of PTO/SB/08A/B
(Based on PTO 04-07 version)

Substitute for form 1449/PTO			Complete if Known		
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)			Application Number	09/937,942	
			Filing Date	October 2, 2001	
			First Named Inventor	JOHNSON, Royce W.	
			Art Unit	3761	
			Examiner Name	STEPHENS, Jacqueline F.	
Sheet	1	of	2	Attorney Docket Number	VAC.483.US

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
/J.S./		3066672	12-04-1962	Crosby, W.H. Jr., et al	Column 1
		4548202	10-22-1985	Duncan, Robert B.	
		4826494	05-02-1989	Richmond et al.	
		5215522	06-01-1993	Page, Larry E., et al	
		5279550	01-18-1996	Habib, Magdi, et al	
		5342376	08-30-1994	Ruff, Gregory L.	
		6241747	06-05-2001	Ruff, Gregory L.	
		6287316	09-11-2001	Agarwal, et al	
		20020077661	06-20-2002	Saadat, Vahid	
		20060029675	02-09-2006	Ginther, Devin C.	
/J.S./		20070021697	01-25-2007	Ginther, et al	

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear
/J.S./		GB-2 220 357 A	01-10-1990	Wood, James Michael	T ⁶
		GB-2 235 877 A	03-20-1991	Talluri, Antonio	
/J.S./		WO 99/13793	03-25-1999	Heaton, K., et al	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
/J.S./	1	SUSAN MENDEZ-EASTMEN, RN; "When Wounds Won't Heal" RN January 1998, Volume 61 (1); Medical Economics Company, Inc., Montvale, NJ, USA; pp. 20-24	
	2	DATTILO, PHILIP P., JR., et al; "Medical Textiles: Application of an Absorbable Barbed Bi-directional Surgical Suture"; Journal of Textile and Apparel, Technology and Management, Volume 2, Issue 2, Spring 2002, pp.: 1-5	
	3	CHARIKER, MARK E., M.D., et al; "Effective Management of incisional and cutaneous fistulae with closed suction wound drainage"; Contemporary Surgery, Vol 34, June 1989, pp.:59-63	
	4	Egnell Minor, Instruction Book, First Edition, 300 7502, February 1975, pp. 24	
	5	Egnell Minor: Addition to the Users Manual Concerning Overflow Protection - Concerns all Egnell Pumps, February 3, 1983, pp. 2	
/J.S./	6	SVEDMAN, P.: "Irrigation Treatment of Leg Ulcers", The Lancet, September 3, 1983, pp. 532-534	

Examiner Signature	/Jacqueline Stephens/	Date Considered	11/13/07
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